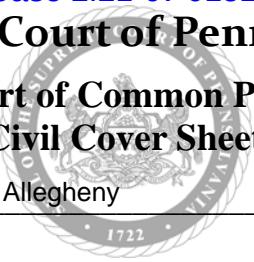


EXHIBIT A

Supreme Court of Pennsylvania



**Court of Common Pleas
Civil Cover Sheet**

Allegheny

County

<i>For Prothonotary Use Only:</i>	
Docket No:	

TIME STAMP

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

S E C T I O N A	Commencement of Action:	
	<input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Writ of Summons <input type="checkbox"/> Transfer from Another Jurisdiction	<input type="checkbox"/> Petition <input type="checkbox"/> Declaration of Taking
Lead Plaintiff's Name: Robert Laskowski	Lead Defendant's Name: LVNV Funding, LLC	
Are money damages requested? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Dollar Amount Requested: (check one)	<input type="checkbox"/> within arbitration limits <input checked="" type="checkbox"/> outside arbitration limits
Is this a <i>Class Action Suit</i>? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is this an <i>MDJ Appeal</i>? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Name of Plaintiff/Appellant's Attorney: <u>Kevin Abramowicz</u> <input type="checkbox"/> Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)		

Nature of the Case: Place an “X” to the left of the **ONE** case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

<p>TORT (<i>do not include Mass Tort</i>)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Intentional <input type="checkbox"/> Malicious Prosecution <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Nuisance <input type="checkbox"/> Premises Liability <input type="checkbox"/> Product Liability (<i>does not include mass tort</i>) <input type="checkbox"/> Slander/Libel/ Defamation <input checked="" type="checkbox"/> Other: <hr/> <hr/>	<p>CONTRACT (<i>do not include Judgments</i>)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Buyer Plaintiff <input type="checkbox"/> Debt Collection: Credit Card <input type="checkbox"/> Debt Collection: Other <hr/> <hr/> <ul style="list-style-type: none"> <input type="checkbox"/> Employment Dispute: Discrimination <input type="checkbox"/> Employment Dispute: Other <hr/> <hr/> <ul style="list-style-type: none"> <input type="checkbox"/> Other: <hr/> <hr/>	<p>CIVIL APPEALS</p> <p>Administrative Agencies</p> <ul style="list-style-type: none"> <input type="checkbox"/> Board of Assessment <input type="checkbox"/> Board of Elections <input type="checkbox"/> Dept. of Transportation <input type="checkbox"/> Statutory Appeal: Other <hr/> <hr/> <ul style="list-style-type: none"> <input type="checkbox"/> Zoning Board <input type="checkbox"/> Other: <hr/> <hr/>
<p>MASS TORT</p> <ul style="list-style-type: none"> <input type="checkbox"/> Asbestos <input type="checkbox"/> Tobacco <input type="checkbox"/> Toxic Tort - DES <input type="checkbox"/> Toxic Tort - Implant <input type="checkbox"/> Toxic Waste <input type="checkbox"/> Other: <hr/> <hr/>	<p>REAL PROPERTY</p> <ul style="list-style-type: none"> <input type="checkbox"/> Ejectment <input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Ground Rent <input type="checkbox"/> Landlord/Tenant Dispute <input type="checkbox"/> Mortgage Foreclosure: Residential <input type="checkbox"/> Mortgage Foreclosure: Commercial <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Other: <hr/> <hr/>	<p>MISCELLANEOUS</p> <ul style="list-style-type: none"> <input type="checkbox"/> Common Law/Statutory Arbitration <input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Mandamus <input type="checkbox"/> Non-Domestic Relations <input type="checkbox"/> Restraining Order <input type="checkbox"/> Quo Warranto <input type="checkbox"/> Replevin <input type="checkbox"/> Other: <hr/> <hr/>
<p>PROFESSIONAL LIABILITY</p> <ul style="list-style-type: none"> <input type="checkbox"/> Dental <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional: <hr/> <hr/>		

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY,
PENNSYLVANIA**

ROBERT LASKOWSKI,

CIVIL DIVISION

Plaintiff,

No.

v.

LVNV FUNDING, LLC,

Defendant.

PRAECIPE FOR WRIT OF SUMMONS

Filed on Behalf of Plaintiff:
Robert Laskowski

Counsel of Record for this Party:

Kevin Abramowicz
Pa. No. 320659
EAST END TRIAL GROUP LLC
6901 Lynn Way, Suite 215
Pittsburgh, PA 15208
Tel: (412) 223-5740
Fax: (412) 626-7101
kabramowicz@eastendtrialgroup.com

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY,
PENNSYLVANIA**

ROBERT LASKOWSKI, CIVIL DIVISION

Plaintiff, No.

v.

LVNV FUNDING, LLC,

Defendant.

PRAECIPE FOR WRIT OF SUMMONS

To: Director, Department of Court Records, Civil/Family Division

Please issue a writ of summons against the above-named LVNV Funding, LLC.

Respectfully submitted,

Dated: July 12, 2021

By: _____

Kevin Abramowicz
Pa. No. 320659
EAST END TRIAL GROUP LLC
6901 Lynn Way, Suite 215
Pittsburgh, PA 15208
Tel: (412) 223-5740
Fax: (412) 626-7101
kabramowicz@eastendtrialgroup.com

Attorney for Plaintiff

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY,
PENNSYLVANIA**

ROBERT LASKOWSKI, CIVIL DIVISION

Plaintiff, No.

v.

LVNV FUNDING, LLC,

Defendant.

WRIT OF SUMMONS

TO: LVNV FUNDING, LLC

YOU ARE NOTIFIED THAT ROBERT LASKOWSKI,

HAS COMMENCED AN ACTION AGAINST YOU.

Date: _____

Plaintiff's Attorney: Kevin Abramowicz
EAST END TRIAL GROUP LLC
6901 Lynn Way, Suite 215
Pittsburgh, PA 15208
Tel: (412) 223-5740
Fax: (412) 626-7101
kabramowicz@eastendtrialgroup.com

Supreme Court of Pennsylvania

**Court of Common Pleas
Civil Cover Sheet**

Allegheny

County

<i>For Prothonotary Use Only:</i>	<i>Page 8, 144,</i>
Docket No:	

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

Commencement of Action:	
<input type="checkbox"/> Complaint	<input checked="" type="checkbox"/> Writ of Summons
<input type="checkbox"/> Transfer from Another Jurisdiction	
<input type="checkbox"/> Petition	
<input type="checkbox"/> Declaration of Taking	
Lead Plaintiff's Name: Robert Laskowski	Lead Defendant's Name: <u>LVNV Funding, LLC</u>
Are money damages requested? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Dollar Amount Requested: (check one) <input type="checkbox"/> within arbitration limits <input checked="" type="checkbox"/> outside arbitration limits
Is this a <i>Class Action Suit</i> ? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is this an <i>MDJ Appeal</i> ? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Name of Plaintiff/Appellant's Attorney: Kevin Abramowicz	
<input type="checkbox"/> Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)	

Nature of the Case: Place an "X" to the left of the ONE case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

TORT (<i>do not include Mass Tort</i>) <input type="checkbox"/> Intentional <input type="checkbox"/> Malicious Prosecution <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Nuisance <input type="checkbox"/> Premises Liability <input type="checkbox"/> Product Liability (<i>does not include mass tort</i>) <input type="checkbox"/> Slander/Libel/ Defamation <input checked="" type="checkbox"/> Other: <hr/> <hr/>	CONTRACT (<i>do not include Judgments</i>) <input type="checkbox"/> Buyer Plaintiff <input type="checkbox"/> Debt Collection: Credit Card <input type="checkbox"/> Debt Collection: Other <hr/> <hr/> <input type="checkbox"/> Employment Dispute: Discrimination <input type="checkbox"/> Employment Dispute: Other <hr/> <hr/> <input type="checkbox"/> Other: <hr/> <hr/>	CIVIL APPEALS Administrative Agencies <input type="checkbox"/> Board of Assessment <input type="checkbox"/> Board of Elections <input type="checkbox"/> Dept. of Transportation <input type="checkbox"/> Statutory Appeal: Other <hr/> <hr/> <input type="checkbox"/> Zoning Board <input type="checkbox"/> Other: <hr/> <hr/>
MASS TORT <input type="checkbox"/> Asbestos <input type="checkbox"/> Tobacco <input type="checkbox"/> Toxic Tort - DES <input type="checkbox"/> Toxic Tort - Implant <input type="checkbox"/> Toxic Waste <input type="checkbox"/> Other: <hr/> <hr/>	REAL PROPERTY <input type="checkbox"/> Ejectment <input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Ground Rent <input type="checkbox"/> Landlord/Tenant Dispute <input type="checkbox"/> Mortgage Foreclosure: Residential <input type="checkbox"/> Mortgage Foreclosure: Commercial <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Other: <hr/> <hr/>	MISCELLANEOUS <input type="checkbox"/> Common Law/Statutory Arbitration <input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Mandamus <input type="checkbox"/> Non-Domestic Relations <input type="checkbox"/> Restraining Order <input type="checkbox"/> Quo Warranto <input type="checkbox"/> Replevin <input type="checkbox"/> Other: <hr/> <hr/>
PROFESSIONAL LIABILITY <input type="checkbox"/> Dental <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional: <hr/> <hr/>		

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY,
PENNSYLVANIA**

ROBERT LASKOWSKI,

CIVIL DIVISION

Plaintiff,

No.

v.

LVNV FUNDING, LLC,

PRAECIPE FOR WRIT OF SUMMONS

Defendant.

Filed on Behalf of Plaintiff:
Robert Laskowski

Counsel of Record for this Party:

Kevin Abramowicz
Pa. No. 320659
EAST END TRIAL GROUP LLC
6901 Lynn Way, Suite 215
Pittsburgh, PA 15208
Tel: (412) 223-5740
Fax: (412) 626-7101
kabramowicz@eastendtrialgroup.com

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY,
PENNSYLVANIA**

ROBERT LASKOWSKI,

CIVIL DIVISION

Plaintiff,

No.

v.

LVNV FUNDING, LLC,

Defendant.

PRAECIPE FOR WRIT OF SUMMONS

To: Director, Department of Court Records, Civil/Family Division

Please issue a writ of summons against the above-named LVNV Funding, LLC.

Respectfully submitted,

Dated: July 12, 2021

By: _____

Kevin Abramowicz
Pa. No. 320659
EAST END TRIAL GROUP LLC
6901 Lynn Way, Suite 215
Pittsburgh, PA 15208
Tel: (412) 223-5740
Fax: (412) 626-7101
kabramowicz@eastendtrialgroup.com

Attorney for Plaintiff

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY,
PENNSYLVANIA**

ROBERT LASKOWSKI,

CIVIL DIVISION

Plaintiff,

No.

v.

LVNV FUNDING, LLC,

Defendant.

WRIT OF SUMMONS

TO: LVNV FUNDING, LLC

YOU ARE NOTIFIED THAT ROBERT LASKOWSKI,

HAS COMMENCED AN ACTION AGAINST YOU.

Date: _____

Plaintiff's Attorney: Kevin Abramowicz
EAST END TRIAL GROUP LLC
6901 Lynn Way, Suite 215
Pittsburgh, PA 15208
Tel: (412) 223-5740
Fax: (412) 626-7101
kabramowicz@eastendtrialgroup.com

WRIT OF SUMMONS IN CIVIL ACTION

NOTICE OF SUIT TO SHERIFF OF ALLEGHENY CO

TO DEFENDANT(S): You are notified that the plaintiff(s) has/have commenced an action against you which you are required to Defend.

Michael McGeever, Director, Department of Court Records

Date 07/13/2021

Returnable 10/11/2021

WRIT OF SUMMONS IN CIVIL ACTION

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

Plaintiff(s)

Laskowski, Robert

Case Number:

GD-21-007899

Type of pleading:

Praecipe for Writ of Summons

Filed on behalf of:

Abramowicz J. Kevin

(Name of filing party)

Defendant(s)

LVNV Funding LLC

Counsel of Record

Individual, If Pro Se

Name, Address and Telephone Number:

Abramowicz J. Kevin

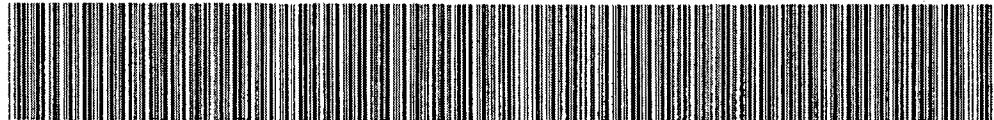
6901 Lynn Way Suite 215

EAST END TRIAL GROUP LLC

Pittsburgh, PA, 15208

412 2235740

Attorney's State ID:



Michael McGeever, Director, Department of Court Records

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY,
PENNSYLVANIA**

ROBERT LASKOWSKI,

CIVIL DIVISION

Plaintiff,

No.

v.

COMPLAINT IN CIVIL ACTION

LVNV FUNDING, LLC,

Defendant.

Filed on behalf of Plaintiff:
Robert Laskowski

Counsel of record for Plaintiff:

Kevin Abramowicz
Pa. ID No. 320659
Kevin Tucker
Pa. ID No. 312144
EAST END TRIAL GROUP LLC
6901 Lynn Way, Suite 215
Pittsburgh, PA 15208
Tel: (412) 223-5740
Fax: (412) 626-7101
kabramowicz@eastendtrialgroup.com
ktucker@eastendtrialgroup.com

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY,
PENNSYLVANIA**

ROBERT LASKOWSKI,

CIVIL DIVISION

Plaintiff,

No.

v.

COMPLAINT IN CIVIL ACTION

LVNV FUNDING, LLC,

Defendant.

NOTICE TO DEFEND

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following pages, you must take action within **TWENTY (20)** days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the Complaint or for any claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

LAWYER REFERRAL SERVICE
The Allegheny County Bar Association
400 Koppers Building,
436 Seventh Avenue
Pittsburgh, PA 15219
Telephone: (412) 261-5555
www.getapittsburghlawyer.com

HEARING NOTICE

YOU HAVE BEEN SUED IN COURT. The above Notice to Defend explains what you must do to dispute the claims made against you. If you file the written response referred to in the Notice to Defend, a hearing before a board of arbitrators will take place in Courtroom Two, Seventh Floor, City-County Building, 414 Grant Street, Pittsburgh, Pennsylvania, on _____, at 9:00 a.m. **IF YOU FAIL TO FILE THE RESPONSE DESCRIBED IN THE NOTICE TO DEFEND, A JUDGMENT FOR THE AMOUNT CLAIMED IN THE COMPLAINT MAY BE ENTERED AGAINST YOU BEFORE THE HEARING**

DUTY TO APPEAR AT ARBITRATION HEARING

If one or more of the parties is not present at the hearing, **THE MATTER MAY BE HEARD AT THE SAME TIME AND DATE BEFORE A JUDGE OF THE COURT WITHOUT THE ABSENT PARTY OR PARTIES. THERE IS NO RIGHT TO A TRIAL DE NOVO ON APPEAL FROM A DECISION ENTERED BY A JUDGE.**

NOTICE: YOU MUST RESPOND TO THIS COMPLAINT WITHIN TWENTY (20) DAYS OR A JUDGMENT FOR THE AMOUNT CLAIMED MAY BE ENTERED AGAINST YOU BEFORE THE HEARING. IF ONE OR MORE OF THE PARTIES IS NOT PRESENT AT THE HEARING, THE MATTER MAY BE HEARD IMMEDIATELY BEFORE A JUDGE WITHOUT THE ABSENT PARTY OR PARTIES. THERE IS NO RIGHT TO A TRIAL DE NOVO ON APPEAL FROM A DECISION ENTERED BY A JUDGE.

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY,
PENNSYLVANIA**

ROBERT LASKOWSKI,

CIVIL DIVISION

Plaintiff,

No.

v.

LVNV FUNDING, LLC,

Defendant.

COMPLAINT IN CIVIL ACTION

Robert Laskowski (“Plaintiff”) brings this action against LVNV Funding, LLC (“Defendant”), and alleges as follows:

NATURE OF THE ACTION

1. This action seeks damages, attorneys’ fees, and costs against Defendant for its violations of the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. §§ 1692, *et seq.*

JURISDICTION AND VENUE

2. The Court has subject matter jurisdiction under 42 Pa. C.S.A. § 931.
3. The Court has personal jurisdiction under 42 Pa. C.S.A. § 5301.
4. Venue is proper under Pa. R. Civ. P. 2179 because Defendant regularly conducts business in this county.

PARTIES

5. Plaintiff is a resident of Allegheny County, Pennsylvania.
6. Defendant is a business entity located in Greenville, South Carolina.
7. Defendant’s sole business is purchasing and collecting defaulted consumer debt to collect debt for profit.

8. Defendant purchases defaulted consumer debt for pennies on the dollar.
9. Defendant, either directly or indirectly, calls consumers, sends letters to consumers, and files lawsuits against consumers.
10. Defendant uses instrumentalities of interstate commerce, such as telephone, mail, and the internet, to collect debt from consumers.

COLLECTION OF DEBT IN PENNSYLVANIA

11. When debt buyers seek to collect debt in Pennsylvania, they must comply with specific statutes based on the type of credit they seek to collect.

The Consumer Discount Company Act

12. If the type of credit a debt buyer seeks to collect qualifies as a direct loan, cash advance, or revolving line of credit, the debt buyer must comply with the Consumer Discount Company Act (“CDCA”). 7 P.S. § 6203.A.
13. Two courts in the Western District of Pennsylvania have held credit cards qualify as direct loans. *See Hutchison v. Cavalry SPV I LLC*, No. 19-cv-1001, 2020 U.S. Dist. LEXIS 182146, at *13 (W.D. Pa. Oct. 1, 2020); *Lutz v. Portfolio Recovery Assocs., LLC*, No. 20-cv-676, 2021 U.S. Dist. LEXIS 9052, at *9-10 (W.D. Pa. Jan. 19, 2021); *but see* Department of Banking, Interpretive Letter, pp. 19-20 (Nov. 19, 2001) (stating credit cards are governed by the CDCA only to the extent a credit card includes cash advances); *Acker v. Provident Nat'l Bank*, 512 F.2d 729, 735-39 (3d Cir. 1975) (holding credit cards qualify as “credit sales”).

14. The CDCA prohibits charging, collecting, contracting for, or receiving interest and fees on covered loans when such interest and fees “aggregate in excess of the interest ... [a debt buyer] would otherwise be permitted by law to charge if not licensed under th[e CDCA.]” 7 P.S. § 6203.A.

15. Debt buyers not licensed under the CDCA cannot charge, collect, contract for, or receive interest or fees in excess of 6%, unless they are otherwise permitted by law to do so. 41 P.S. § 201; 7 P.S. § 6203.A.

16. Debt buyers licensed under the CDCA cannot charge, collect, contract for, or receive interest in excess of 24%, late fees in excess of \$20 or 10% of a minimum payment, or annual fees in excess of \$50. 7 P.S. §§ 6213, 6217.1.

Chapter 63 Of The Consumer Credit Code

17. If the type of credit a debt buyer seeks to collect qualifies as an extension of credit for the purchase of goods and services, the debt buyer must comply with Chapter 63 of the Consumer Credit Code (“CCC”). 12 Pa. C.S. § 6304 (“[The CCC] shall exclusively govern and regulate the terms and conditions of all extensions of credit, except cash advances, for the purchase of goods and services[.]”).

18. The Third Circuit held credit cards qualify as extensions of credit for the purchase of goods and services (referred to as “credit sales”) under the Goods and Services Installment Sales Act (“GSISA”), which was the predecessor to the CCC. *Acker v. Provident Nat'l Bank*, 512 F.2d 729, 735-39 (3d Cir. 1975); but see *Hutchison*, 2020 U.S. Dist. LEXIS 182146, at *9-13 (distinguishing *Acker*); *Lutz v. Portfolio Recovery Assocs., LLC*, No. 20-cv-676, 2021 U.S. Dist. LEXIS 9052, at *9-10.

19. The CCC prohibits debt buyers from filing suit against consumers if an account qualifies as an “open-end credit agreement” under the CCC unless the debt buyer sends specific statutory notice before filing suit. 12 Pa. C.S. § 6309.

FACTUAL ALLEGATIONS

The Credit Card Account

20. This case involves a Credit One Bank credit card (the “Account”).
21. The Account allowed the cardholder to obtain cash advances and buy goods and services from businesses that agreed to accept the Account as payment for goods and services.
22. The Account was used to buy goods and services from entities engaged in the business of selling goods and services to consumers.
23. The Account was used for personal, family, and/or household purposes.
24. The Account provided for payments directly to the issuing bank.
25. The Account allowed for repayment of cash advances and the purchase of goods and services over time through installment payments to the issuing bank.
26. The Account imposed interest on periodic unpaid account balances.
27. The interest imposed on periodic unpaid account balances was expressed as an annual percentage rate (“APR”).

Defendant Sued Plaintiff On The Account

28. On February 23, 2021, Defendant filed a lawsuit against Plaintiff in an Allegheny County Magisterial District Court.
29. Defendant claimed it purchased the Account.
30. Plaintiff hired an attorney to defend the lawsuit.
31. On May 12, 2021, the Magisterial District Court dismissed the case without prejudice.

Defendant Attempted To Collect Interest It Could Not Collect

32. If the Account is a direct loan, as held in *Hutchison and Lutz*, Defendant's attempt to collect the Account violated the CDCA because Defendant attempted to collect and receive interest and fees it was not permitted by law to collect or receive.

33. Defendant is licensed under the CDCA, which makes it unlawful for Defendant to charge, collect, contract for, or receive interest in excess of 24%, late fees in excess of \$20 or 10% of a minimum payment, or annual fees in excess of \$50. 7 P.S. § 6217.1.A.

34. In the past, Defendant was licensed as a "sales finance company" under Chapter 62 of the Consumer Credit Code, which made it unlawful for Defendant to charge, collect, contract for, or receive interest in excess of 21%, and late fees in excess of 2%, on car loans. 12 Pa. C.S. §§ 6243(e)(2), 6245(b)(1).

35. The Account included unpaid interest charged in excess of 24%.

36. Defendant attempted to collect and receive this unpaid interest, despite the fact that Defendant was prohibited by law from doing so.

37. The Account also included unpaid late charges that exceeded \$20 and were greater than 10% of a payment.

38. Defendant attempted to collect and receive these unpaid fees, despite the fact that Defendant was prohibited by law from doing so.

39. By seeking to collect and receive interest and fees it could not collect or receive, Defendant falsely represented its ability to collect the full amount of the Account.

Alternatively, Defendant Lacked Authority To File Suit Against Plaintiff

40. If the purchases made on the Account qualify as “credit sales,” as held in *Acker*, Defendant’s attempt to collect the Account violated the CCC because Defendant sued Plaintiff without sending notice before filing suit.

41. The CCC places restrictions on the ability of debt buyers to collect “open-end credit agreements” through legal process unless the debt buyer sends specific notice before filing suit. 12 Pa. C.S. § 6309(a), (b)(2), (c).

42. Defendant did not send the required notice before filing suit.

43. Prior to filing suit, Defendant did not send certified mail to Plaintiff.

44. Prior to filing suit, Defendant did not personally deliver mail to Plaintiff.

45. Prior to filing suit, Defendant did not send a notice to Plaintiff, informing Plaintiff of: i) the right to cure the default on the Account within 21 days of the date of receipt of the notice; ii) the name, address, and telephone number of the seller or holder of the Account; iii) the total amount due on the Account; iv) the exact date by which the amount due on the Account must be paid; v) the name, address, and telephone number of the person to whom payment must be made; and vi) any other performance necessary to cure default on the Account.

46. Plaintiff should not have had to defend the lawsuit that Defendant filed on the Account, or pay an attorney to do so, because Defendant could not lawfully collect the Account by filing suit against Plaintiff or by subjecting Plaintiff to legal process.

COUNT I
Violation of the Fair Debt Collection Practices Act
15 U.S.C. §§ 1692, et seq.

47. Plaintiff is a consumer, the Account is a debt, and Defendant is a debt collector under the FDCPA. 15 U.S.C. §§ 1692a(3), (5), (6).

48. Defendant's actions and practices described herein constitute: false, deceptive or misleading representations or means in connection with the collection of a debt, in violation of 15 U.S.C. § 1692e; and/or unfair or unconscionable means to collect or attempt to collect any debt, in violation of 15 U.S.C. § 1692f.

49. As a result of Defendant's failure to comply with the provisions of the FDCPA, and the resulting injury and harm Defendant's failure caused, Plaintiff is entitled to actual damages, statutory damages, and attorneys' fees and costs under 15 U.S.C. § 1692k.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for the following relief:

- a. An order awarding actual, statutory, and all other damages available by law, along with pre- and post-judgment interest;
- b. An order awarding attorneys' fees and costs;
- c. An order declaring Defendant's conduct unlawful; and
- d. An order awarding all other relief that is just, equitable and appropriate.

JURY TRIAL DEMANDED

Plaintiff requests a jury trial on all claims so triable.

Respectfully Submitted,

Dated: July 22, 2021

By: /s/ Kevin Abramowicz
Kevin Abramowicz
Kevin W. Tucker
EAST END TRIAL GROUP LLC
6901 Lynn Way, Suite 215
Pittsburgh, PA 15208
Tel: (412) 223-5740
kabramowicz@eastendtrialgroup.com
ktucker@eastendtrialgroup.com

Attorneys for Plaintiff

VERIFICATION

I, Kevin Abramowicz, attorney for Plaintiff, am fully familiar with the facts set forth in this Complaint and am authorized to make this Verification. I verify that the averments contained in this Complaint are true and correct to the best of my knowledge, information, and belief. Plaintiff's verification shall be substituted for this attorney verification upon request. I understand any false statements herein are made subject to the penalties of 18 Pa. C.S § 4904, relating to unsworn falsification to authorities.

Respectfully submitted,

Dated: July 22, 2021

By: /s/ Kevin Abramowicz
Kevin Abramowicz
EAST END TRIAL GROUP LLC
6901 Lynn Way, Suite 215
Pittsburgh, PA 15208
Tel: (412) 223-5740
kabramowicz@eastendtrialgroup.com

Attorney for Plaintiff

7/22/2021

Allegheny County

Allegheny County Department Of Court RecordsCivil/Family Division Docket Report

Run Date and Time: 7/22/2021 - 10:28:17

GD-21-007899

Laskowski vs LVNV Funding LLC

Filing Date:

7/13/2021

Related Cases:**Consolidated Cases:****Judge:**

No Judge

Amount In Dispute:

\$ 0

Case Type:

Other Tort

Court Type:

General Docket

Current Status:

Praecipe for Writ of Summons

Jury Requested:

N

--Parties--

LName	FName	MI	Type	Address	Initial Service Completion	Attorney
Laskowski	Robert		Plaintiff		--	Kevin J. Abramowicz
LVNV Funding LLC			Defendant		--	

--Attorney--

LName	FName	MI	Type	Address	Phone
Abramowicz	Kevin	J.	Plaintiff's Attorney	6901 Lynn Way Suite 215 EAST END TRIAL GROUP LLC Pittsburgh PA 15208	4122235740

--Non Litigants--

LName	FName	MI	Type	Address	Phone
No Litigants Found					

--Docket Entries--

Filing Date	Docket Type	Docket Text	Filing Party
7/13/2021	Praecipe for Writ of Summons		Robert Laskowski

7/22/2021

Allegheny County

--Judgments Against--

Name	Amount	Satisfied(Y,N)
No Judgments Found		

--Events Schedule--

Event Scheduled	Event Date & Time	Room Number	Judge/Hearing Officer
No Information Found			